

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re: : Chapter 11
RADNOR HOLDINGS :
CORPORATION, et al., : Case No. 06-10894 (PJW)
: Jointly Administered
Debtors. : Related Docket No. 512
:
- - - - - X

NOTICE OF DEBTORS' APPEAL OF ORDER GRANTING OFFICIAL
COMMITTEE OF UNSECURED CREDITORS STANDING TO PROSECUTE
ACTIONS ON BEHALF OF THE DEBTORS' ESTATES AGAINST
TENNENBAUM CAPITAL PARTNERS, LLC, SPECIAL VALUE
EXPANSION FUND, LLC, SPECIAL VALUE OPPORTUNITIES FUND,
LLC, AND JOSE E. FELICIANO AND RELATED RELIEF

The debtors and debtors-in-possession in the
above-captioned jointly administered bankruptcy cases
(collectively, the "Debtors")¹ hereby appeal, on an
expedited basis, pursuant to 28 U.S.C. § 158(a) and Fed.
R. Bankr. P. 8001(a), the Order Granting Official

¹ The Debtors are the following entities: Radnor Holdings Corporation ("Radnor"), Benchmark Holdings, Inc., Radnor Asset Management, Inc., Radnor Chemical Corporation, Radnor Delaware II, Inc., Radnor Investments II, Inc., Radnor Investments III, Inc., Radnor Investments, Inc., Radnor Investments, L.L.C., Radnor Management Delaware, Inc., Radnor Management, Inc., StyroChem Delaware, Inc., StyroChem Europe Delaware, Inc., StyroChem GP, L.L.C., StyroChem LP, L.L.C., StyroChem U.S. Ltd., WinCup Europe Delaware, Inc., WinCup GP, L.L.C., WinCup Holdings, Inc., WinCup LP, L.L.C., WinCup RE, L.L.C., and WinCup Texas, Ltd.

Committee of Unsecured Creditors Standing to Prosecute
Actions on Behalf of the Debtors' Estates against
Tennenbaum Capital Partners, LLC, Special Value
Expansion Fund, LLC, Special Value Opportunities Fund,
and Jose E. Feliciano and Related Relief (Docket No.
512) (the "Order"), entered by the United States
Bankruptcy Court for the District of Delaware on October
30, 2006.

The names of all parties to the Order and the
names, addresses, and telephone numbers of their
respective attorneys are as follows:

The Debtors -

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Dated: Wilmington, Delaware
November 3, 2006



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Counsel for Debtors and
Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: RADNOR HOLDINGS CORPORATION, <i>et al.</i>, Debtors.	: Chapter 11 : : Case No. 06-10894 (PJW) : : Jointly Administered : : Ref. Docket No. 425
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**ORDER GRANTING OFFICIAL COMMITTEE OF UNSECURED CREDITORS
STANDING TO PROSECUTE ACTIONS ON BEHALF OF THE DEBTORS' ESTATES
AGAINST TENNENBAUM CAPITAL PARTNERS, LLC, SPECIAL VALUE
EXPANSION FUND, LLC, SPECIAL VALUE OPPORTUNITIES FUND, LLC,
AND JOSE E. FELICIANO AND RELATED RELIEF**

Upon the motion¹ (the "**Motion**") of the Official Committee of Unsecured Creditors (the "**Committee**") of Radnor Holdings Corporation, *et al.* (collectively, the "**Debtors**"), for an order, pursuant 11 U.S.C. §§ 105, 1103(c)(2) and (5) and 1109(b), granting the Committee standing to prosecute actions on behalf of the Debtors' estates against Tennenbaum Capital Partners, LLC, Special Value Expansion Fund, LLC, Special Value Opportunities Fund, LLC, and Jose E. Feliciano, and for related relief; and due and sufficient notice of the Motion and the hearing thereon has been provided, and no other or further notice being necessary or required; and it appearing that the relief requested is in the best interests of the Debtors' estates; and a hearing on the Motion having been held on October 27, 2006 (the "**Hearing**"); and upon the Motion, all objections thereto, the arguments of counsel made at the Hearing, and the full record of these cases; and after due deliberation and sufficient cause appearing therefor, it is therefore

FOUND AND CONCLUDED that:

¹ Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Motion.

A. The Committee shall have derivative standing to pursue the causes of action alleged in Counts 11, 12, 13, 14, 15 and 16 of the Complaint annexed as Exhibit A to the Motion (the "**Complaint**"), against the Tennenbaum Defendants;

B. The causes of action contained in Counts 1 through 10, 13 and 14 of the Complaint assert direct causes of action that the Committee has standing to pursue against the Tennenbaum Defendants; and

C. No demand was made upon the Debtors. Demand upon the Debtors would have been futile and is excused under the circumstances of these cases, as found by the Court for the reasons set forth on the record of the Hearing.


For all reasons stated on the record at the Hearing, it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. The Committee is authorized to file a complaint, substantially in the form of the Complaint, and pursue the causes of action stated therein against the Tennenbaum Defendants.

2. This Court shall retain jurisdiction with respect to all matters and disputes arising out of or relating to this Order.

Dated: October 30, 2006



HONORABLE PETER J. WALSH
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

APPEAL TRANSMITTAL SHEET

Case Number: 06-10894 ☒ BK ☐ AP
If AP, related BK Case Number: _____

Title of Order Appealed:
Order Granting Official Committee of Unsecured Creditors Standing To Prosecute Action

Docket Number: 512 Date Entered: 10/30/06

Item Transmitted: ☒ Notice of Appeal ☐ Motion for Leave to Appeal
☐ Amended Notice of Appeal ☐ Cross Appeal
Docket Number: 570 Date Filed: _____

*Appellant/Cross Appellant: <u>Radnor Holdings Corp et al</u>	*Appellee/Cross Appellee <u>Official Committee of Unsecured Creditor</u> <input checked="" type="checkbox"/>
Counsel for Appellant: <u>Gregg Galardi Esq</u> <input checked="" type="checkbox"/>	Counsel for Appellee: <u>Donald J Detweiler Esq</u>
<u>Skadden Arps Slate Meagher & Flom LLP</u> <input checked="" type="checkbox"/>	<u>Greenberg Taurig LLP</u> <input checked="" type="checkbox"/>
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<u>Wilmington, DE 19899</u>	<u>Wilmington, DE 19801</u>

**If additional room is needed, please attach a separate sheet.*

Filing Fee paid? ☒ Yes ☐ No

IFP Motion Filed by Appellant? ☐ Yes ☒ No

Have Additional Appeals to the Same Order been Filed? ☐ Yes ☒ No

If so, has District Court assigned a Civil Action Number? ☐ Yes ☒ No Civil Action # _____

Additional Notes:

12/4/06
Date

By: Ken Brown
Deputy Clerk

Bankruptcy Court Appeal (BAP) Number: 06-71
7/6/06

FOR USE BY U.S. BANKRUPTCY COURT